

REMARKS

In the Office Action mailed April 14, 2009, the Office noted that claims 1-3, 9-12, 15 and 20 were pending and rejected claims 1-3, 9-12, 15 and 20. Claims 1, 2, 9 and 15 have been amended, no claims have been canceled, and, thus, in view of the foregoing, claims 1-3, 9-12, 15 and 20 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections are traversed below.

REJECTIONS under 35 U.S.C. § 112

Claims 1-3, 9-12, 15 and 20 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicants regard as the invention. In particular, the Office asserts that the claims contain antecedent basis issues of unclear language.

The Applicants have amended the claims in conformity with the comments of the Office. With regards to the amendment to claim 9, support for the amendment may be found, for example, in Fig. 1 and ¶ 0040 of the printed publication version of the Specification.

As regards the requested amendment to claim 11, line 2, the Applicants note that claim 11, depends from claim 9 and that claim 9 contains the antecedent "a computer." Thus, no amendment was made to claim 11.

Withdrawal of the rejections is respectfully requested.

ALLOWABLE SUBJECT MATTER

The Office has indicated that claims 1-3, 9-12, 15 and 20 would be allowable if re-written to overcome the rejection above. The Applicants have amended the claims to overcome the rejection. The Applicants submit that the claims are now in a condition for allowance.

SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. § 103. It is also submitted that claims 1-3, 9-12, 15 and 20 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

/James J. Livingston, Jr./  
James J. Livingston, Jr.  
Reg. No. 55,394  
209 Madison St, Suite 500  
Alexandria, VA 22314  
Telephone (703) 521-2297  
Telefax (703) 685-0573  
(703) 979-4709

JJL/lrs